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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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09/311,918 05/14/99 CHASE

M 20160/1

TM02/0102

EXAMINER

DAVID D LOWRY  
BOX 1P 18TH FLOOR  
BROWN RUDNICK FREED AND GESMER PC  
ONE FINANCIAL CENTER  
BOSTON MA 02111

LUU, S

ART UNIT

PAPER NUMBER

2173

8

DATE MAILED:

01/02/01

Please find below and/or attached an Office communication concerning this application or proceeding.

**Commissioner of Patents and Trademarks**

<b>Office Action Summary</b>	Application No.	Applicant(s)
	09/311,918	CHASE ET AL.
	Examiner	Art Unit
	Sy D Luu	2173

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).

**Status**

- 1) Responsive to communication(s) filed on 23 October 2000.
- 2a) This action is FINAL.                            2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) Claim(s) 1-20 is/are pending in the application.
  - 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) Claim(s) \_\_\_\_\_ is/are allowed.
- 6) Claim(s) 1-20 is/are rejected.
- 7) Claim(s) \_\_\_\_\_ is/are objected to.
- 8) Claims \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on \_\_\_\_\_ is/are objected to by the Examiner.
- 11) The proposed drawing correction filed on \_\_\_\_\_ is: a) approved b) disapproved.
- 12) The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. § 119**

- 13) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).
  - a) All b) Some \* c) None of the CERTIFIED copies of the priority documents have been:
    1. received.
    2. received in Application No. (Series Code / Serial Number) \_\_\_\_\_.
    3. received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) Acknowledgement is made of a claim for domestic priority under 35 U.S.C. & 119(e).

**Attachment(s)**

15) <input type="checkbox"/> Notice of References Cited (PTO-892)	18) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). _____
16) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)	19) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)
17) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) <u>4.5</u> .	20) <input type="checkbox"/> Other: _____

### **DETAILED ACTION**

1. This communication is responsive to amendment A, filed 10/23/2000.
2. Claims 1-20 are pending in this application. Claims 1, 14 and 18 are independent claims. In the amendment, filed on 10/23/2000, claims 1, 14 and 18 were amended. This action is made Final.

#### ***Claim Rejections - 35 USC 103***

3. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.
4. Claims 1-20 are rejected under 35 U.S.C. 103(a) as being unpatentable Farros et al. ("Farros", US # 5,930,810).

As per claim 1, Farros teaches an interactive image display system (fig. 5; col. 2, line 20 – col. 3, line 16; col. 3, lines 39-48; col. 5, lines 12-32) for displaying a printed article as it will appear when printed, comprising: a user interface component, to accept information from a user for producing said printed article, and to provide a graphic image representing said printed article for display to said user; a graphic layout component, to process said information and produce a graphic description file; and an image producing component, to process said graphic description file and produce said graphic image.

Farros does not explicitly disclose said graphic description file to be usable for a batch printing process. However, it is well known that graphic description files, such as Encapsulated

PostScript files, are files that store predefined graphic information which could be sent to a remote queue for printing. Furthermore, Farros suggests that the printing process could take place at a remote location (col. 2, lines 20-24). It would have been obvious to an artisan at the time of the invention that a batch printing process must be included in Farros's system so that the printing facility could manage and process the printing requests in an order manner.

As per claim 2, Farros teaches said user interface component to maintain said information from said user, allowing said user to modify a part of the information in order to view changes in said displayed printed article (co. 2, lines 60-65).

As per claims 3 and 4, Farros teaches said user interface component to maintain said information from said user, allowing said graphic layout component to produce a graphic description file, and said image producing component to produce a graphic image for a different printed article, and said information maintained by said user interface component to be used for preparing a print job for said user (col. 4, lines 16-48).

As per claims 5-7, Farros teaches said graphic image to be displayed with a background image representing an article to be printed on, wherein said background image is an image of paper stock to be printed on and said background image is sized to be the same size as said graphic image (col. 6, lines 58-65; fig. 10, elements 1007-1011).

As per claim 8, although Farros does not expressly disclose that the user can modify font sizes by specifying a percentage increase or decrease, Farros does teach that the users can modify font sizes (col. 8, lines 65-67). Since it is well known in the art that one of the manner that users can modify font sizes for display or printing is by specifying a percentage increase or decrease, it

would have been obvious to an artisan at the time of the invention to include such a feature with Farros system to further provide a quick and easy means for a user's to modify font sizes.

As per claim 9, Farros teaches said graphic description file to be a Postscript file (col. 4, lines 42-43).

As per claims 10-11, Farros teaches said information from said user to include an indication of a predefined template, said predefined template including layout information for a printed article; and said graphic layout component, uses said predefined template to produce said graphic description file, and said predefined template includes at least one area for printing (col. 4, lines 21-27).

As per claim 12, Farros teaches said interactive display system to provide graphic images representing a plurality of related printed articles from said information from said user (col. 4, lines 21-30).

As per claim 13, Farros teaches said user interface component interacts with said user over the internet (col. 7, lines 7-10).

Claim 14 is similar in scope to the combination of claims 5 and 11, and is therefore rejected under similar rationale.

Claims 15-16 are similar in scope to claims 6-7 respectively, and are therefore rejected under similar rationale.

As per claim 17, Farros teaches the method to include the steps of: upon receiving an indication that said printed article is to be printed, storing said text information and an indication of said selected predefined template along with an order indication number; and upon receiving an indication that said printed article is ready to be printed, producing a graphic description file

based on said text information and predefined template, said graphic description file to be used for said printing process (col. 5, lines 12-32).

Claims 18 and 19-20 are similar in scope to claims 2 and 12-13 respectively, and are therefore rejected under similar rationale.

***Response to Arguments***

5. Applicant's arguments with respect to claims 1, 14 and 18 have been fully considered but they are not persuasive.

Applicant argues that Farros provides no teachings of using the same graphic description file for both displaying and printing.

The Examiner disagrees for the following reasons: Farros teaches the creation of a graphic description file (CXX) to be used in such a manner (fig. 2, element 117; col. 5, lines 12-19). Since the CXX file is used to provide physical descriptions of the printed product, and the appearance of the product is to be the same as what is on the display (col. 2, lines 55-67), it would have been obvious that the same information in the CXX file must necessarily be furnished to the system for generating the image on the display. Therefore, the claims are still read on by the rejections given in the previous Office Action.

*Conclusion*

6. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

**Inquires**

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sy Luu whose telephone number is (703) 305-0409. The examiner can normally be reached on Monday - Thursday from 6:30 am to 4:00 pm (EST). The examiner can also be reached on alternate Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Cabeca, can be reached on (703) 308-3116.

The fax number for the organization where this application or proceeding is assigned is (703) 308-6606.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 305-3800.

Sy D. Luu  
Patent Examiner  
December 29, 2000



RAYMOND J. BAYERL  
PRIMARY EXAMINER  
ART UNIT 2173